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HARVARD GRADUATES.

Class of	From Massachussets.	New England outside of Massachusetts.	Outside of New England.	Total
1893	34	1	19	54
1894	30	2	17	49
1895	32	4	13	49
1896	23	7	17	47
1897	27	2	15	44
1898	42	1	25	68
1899	45	6	19	70
1900	50	11	30	91

GRADUATES OF OTHER COLLEGES.

Class of	From Massachussets.	New England outside of Massachusetts.	Outside of New England.	Total
1893	5	9	21	35
1894	7	20	38	65
1895	8	14	30	52
1896	14	11	45	70
1897	9	12	56	77
1898	19	23	62	104
1899	21	12	45	78
1900	30	19	60	109

HOLDING NO DEGREE.

Class of	From Massachussets.	New England outside of Massachusetts.	Outside of New England.	Total.	Total of Class.
1893	4	1	7	12	101
1894	20	1	10	31	142
1895	16	3	14	33	135
1896	10	4	9	23	140
1897	26	7	16	49	170
1898	25	2	25	52	224
1899	11	2	8	21	169
1900	11	2	3	16	216

The following thirty-eight colleges have conferred their first degrees on members of the entering class, the figures indicating the number of men from each college, where there are more than one: Yale (23), Amherst (10), Princeton (8), Boston College (6), Brown (6), Dartmouth (5), Williams (4), University of California (3), Cornell (3), Holy Cross (3), University of Wisconsin (3), Bowdoin (2), University of Chicago (2), De Pauw University (2), University of Pennsylvania (2), Mass. Inst. of Technology (2), University of Michigan (2), Stanford University (2), Trinity (2), Alfred University, Bates, Bucknell University, Colby, Delaware State College, University of Georgia, Georgetown, Indiana University, Iowa College, Johns Hopkins, University of Kansas, Knox, University of Missouri, Notre Dame, Oberlin, University of Vermont, Washington and Jefferson, Ohio Wesleyan, University of Wooster. The increased number from Yale and from Boston College is particularly interesting.

MR. JUSTICE FIELD'S RETIREMENT.—The judicial service of Mr. Justice Field, now ended by his resignation from the Supreme Court of the United States, has been notable alike for its duration, the dignity of the positions held, the critical character of the times, and the quality of the man. Mr. Justice Field was a member of the Supreme Court of the United States for a longer time than Chief Justice Marshall sat in that body, for a longer time than Lord Mansfield or Baron Parke were

Judges of England; and if one counts in the years when he was a member of the Supreme Court of California, his judicial career is longer than Parke's had been, when, after having for many years given his opinions in the House of Lords as Lord Wensleydale, he died at the venerable age of eighty-five. Stephen J. Field has been one of the most active figures in the highest court of this country, than which no more important tribunal exists. Appointed by President Lincoln to this position during the stormy days of the war, he served through the no less critical time of the reconstruction of the Union, a period in which were brought before the Supreme Court questions more intimately concerning the life of the nation than any which had arisen since the time when the main principles of the Constitution had first to be expounded. And in the enormous number of judicial opinions written by him during all these years, it may be said that Mr. Justice Field has uniformly displayed independence of view, vigor of expression, and a high notion of the importance of his office. The same qualities of courage and energy which made him a leader of men in the stirring days of the settlement of California have made him always a prominent figure upon the bench where he sat so long.

TROVER FOR REAL ESTATE?—In the late Massachusetts case of *Rogers v. Barnes*, 47 N. E. Rep. 602, the plaintiff gave the defendant a mortgage of land conditioned on payment of the debt within a year. Before default, the defendant made a false affidavit of default, and conveyed under the power of sale to Reed, who reconveyed to the defendant. After the year, the mortgage debt being still unpaid, the defendant conveyed by warranty deed to Rice, an innocent purchaser, who got a clear record title. Plaintiff then sued defendant in tort for the value of the land. The court held that, even though Rice took subject to plaintiff's right to redeem, the defendant was liable, as the plaintiff had the option to follow the land or to recover the value from the defendant, thereby confirming the title in Rice. Allen, Holmes, and Knowlton, JJ., dissented. The court do not seem very clear as to the grounds of their decision. At first sight the decision seems to rest on a doctrine which would apply the rules of trover to any case of disseisin; but it is hardly to be presumed that the court intended to lay down such a principle; and the case should, therefore, be considered as relating solely to the law of mortgages.

Owing mainly to the loose use of terms, there is much uncertainty as to the nature of the interests of a mortgagee and a mortgagor. It seems clear, however, that in Massachusetts, before default, a mortgagee has a legal fee subject to a legal right in the mortgagor. *Holman v. Bailey*, 3 Met. 55. After default, a mortgagee has a legal fee subject to an equitable right in the mortgagor. 1 Jones on Mortgages, 5th ed., p. 25, note 1. The mortgage debt in this case not being paid when due, the plaintiff's right became equitable. The court admits that Rice held subject to plaintiff's equity. Under these circumstances, why should the plaintiff have such an option as is given him in this case?

Where personality is converted, optional remedies are given because, as the property may be removed or destroyed, there is no certainty of recovering it. Where there is a breach of trust the *cestui* has optional remedies, because he may not get the property unless he proves notice. In the case in question the recovery of the property is certain if the plaintiff pro-